



Senate

General Assembly

File No. 505

February Session, 2016

Substitute Senate Bill No. 133

Senate, April 6, 2016

The Committee on Public Health reported through SEN. GERRATANA of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING LICENSING FOR PROFESSIONAL COUNSELORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-195aa of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective October 1, 2016*):

3 As used in sections 20-195aa to 20-195ee, inclusive, as amended by
4 this act:

5 (1) "Licensed clinical professional counselor" or "clinical professional
6 counselor" means a person who has been licensed as a clinical
7 professional counselor pursuant to this chapter;

8 (2) "Commissioner" means the Commissioner of Public Health;

9 (3) "Department" means the Department of Public Health;

10 (4) "Professional counseling" means the application, by persons
11 trained in counseling, of established principles of psycho-social

12 development and behavioral science to the evaluation, assessment,
13 analysis, diagnosis and treatment of emotional, behavioral or
14 interpersonal dysfunction or difficulties that interfere with mental
15 health and human development. "Professional counseling" includes,
16 but is not limited to, individual, group, marriage and family
17 counseling, functional assessments for persons adjusting to a
18 disability, appraisal, crisis intervention and consultation with
19 individuals or groups; [.]

20 (5) "Licensed master professional counselor" or "master professional
21 counselor" means a person who has been licensed as a licensed master
22 professional counselor pursuant to this chapter and practices
23 professional counseling only under professional supervision;

24 (6) "Under professional supervision" means the practice of
25 professional counseling under the supervision of a licensed clinical
26 professional counselor, a physician licensed pursuant to chapter 370,
27 who is certified in psychiatry by the American Board of Psychiatry and
28 Neurology, an advanced practice registered nurse licensed pursuant to
29 chapter 378, who is certified as an adult psychiatric and mental health
30 clinical nurse specialist by the American Nurses Credentialing Center,
31 a psychologist licensed pursuant to chapter 383, a marital and family
32 therapist licensed pursuant to chapter 383a or a licensed clinical social
33 worker licensed pursuant to chapter 383b; and

34 (7) "Professional supervision" means face-to-face consultation
35 between one supervisor, who is a person described in subdivision (6)
36 of this section, and one person receiving supervision that consists of
37 not less than a monthly review with a written evaluation and
38 assessment by the supervisor of such person's practice of professional
39 counseling.

40 Sec. 2. Section 20-195bb of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective October 1, 2016*):

42 (a) Except as provided in subsection (c) of this section, no person
43 may practice professional counseling unless licensed pursuant to

44 section 20-195cc, as amended by this act.

45 (b) No person may use the title "licensed professional counselor",
46 "licensed clinical professional counselor", "clinical professional
47 counselor", "licensed master professional counselor", or a "master
48 professional counselor" or make use of any title, words, letters or
49 abbreviations that may reasonably be confused with licensure as a
50 clinical professional counselor or a master professional counselor
51 unless licensed pursuant to section 20-195cc, as amended by this act.

52 (c) No license as a clinical professional counselor or a master
53 professional counselor shall be required of the following: (1) A person
54 who furnishes uncompensated assistance in an emergency; (2) a
55 clergyman, priest, minister, rabbi or practitioner of any religious
56 denomination accredited by the religious body to which the person
57 belongs and settled in the work of the ministry, provided the activities
58 that would otherwise require a license as a clinical professional
59 counselor or a master professional counselor are within the scope of
60 ministerial duties; (3) a sexual assault counselor, as defined in section
61 52-146k; (4) a person participating in uncompensated group or
62 individual counseling; (5) a person with a master's degree in a health-
63 related or human services-related field employed by a hospital, as
64 defined in subsection (b) of section 19a-490, performing services in
65 accordance with section 20-195aa, as amended by this act, under the
66 supervision of a person licensed by the state in one of the professions
67 identified in [subparagraphs (A) to (F), inclusive, of subdivision (2) of
68 subsection (a) of section 20-195dd] subdivision (6) of section 20-195aa,
69 as amended by this act; (6) a person licensed or certified by any agency
70 of this state and performing services within the scope of practice for
71 which he or she is licensed or certified; (7) a student, intern or trainee
72 pursuing a course of study in counseling in a regionally accredited
73 institution of higher education, provided the activities that would
74 otherwise require a license as a clinical professional counselor or a
75 master professional counselor are performed under supervision and
76 constitute a part of a supervised course of study; (8) a person
77 employed by an institution of higher education to provide academic

78 counseling in conjunction with the institution's programs and services;
79 or (9) a vocational rehabilitation counselor, job counselor, credit
80 counselor, consumer counselor or any other counselor or
81 psychoanalyst who does not purport to be a [counselor] clinical
82 professional counselor or a master professional counselor whose
83 primary service is the application of established principles of psycho-
84 social development and behavioral science to the evaluation,
85 assessment, analysis and treatment of emotional, behavioral or
86 interpersonal dysfunction or difficulties that interfere with mental
87 health and human development.

88 Sec. 3. Section 20-195cc of the 2016 supplement to the general
89 statutes is repealed and the following is substituted in lieu thereof
90 (*Effective October 1, 2016*):

91 (a) The Commissioner of Public Health shall grant a license as a
92 clinical professional counselor or a master professional counselor to
93 any applicant who furnishes evidence satisfactory to the commissioner
94 that such applicant has met the requirements of section 20-195dd, as
95 amended by this act. The commissioner shall develop and provide
96 application forms. The application fee shall be three hundred fifteen
97 dollars.

98 (b) Licenses issued under this section may be renewed annually
99 pursuant to section 19a-88, provided a license as a master professional
100 counselor shall not be renewed more than two times. The fee for such
101 renewal shall be one hundred ninety-five dollars. Each licensed clinical
102 professional counselor and licensed master professional counselor
103 applying for license renewal shall furnish evidence satisfactory to the
104 commissioner of having participated in continuing education
105 programs. The commissioner shall adopt regulations, in accordance
106 with chapter 54, to (1) define basic requirements for continuing
107 education programs [, which] that shall include (A) not less than one
108 contact hour of training or education each registration period on the
109 topic of cultural competency, [and,] (B) on and after January 1, 2016,
110 not less than two contact hours of training or education during the first

111 renewal period in which continuing education is required and not less
112 than once every six years thereafter on the topic of mental health
113 conditions common to veterans and family members of veterans,
114 including [(A)] (i) determining whether a patient is a veteran or family
115 member of a veteran, [(B)] (ii) screening for conditions such as post-
116 traumatic stress disorder, risk of suicide, depression and grief, and
117 [(C)] (iii) suicide prevention training, and (C) on and after January 1,
118 2017, not less than three contact hours of training or education each
119 registration period on the topic of professional ethics, (2) delineate
120 qualifying programs, (3) establish a system of control and reporting,
121 and (4) provide for a waiver of the continuing education requirement
122 for good cause.

123 Sec. 4. Section 20-195dd of the general statutes is repealed and the
124 following is substituted in lieu thereof (*Effective October 1, 2016*):

125 (a) (1) Except as otherwise provided in [subsections (b) and (c) of]
126 this section, an applicant for a license as a clinical professional
127 counselor shall submit evidence satisfactory to the [Commissioner of
128 Public Health] commissioner of having: [(1)] (A) Completed sixty
129 graduate semester hours in or related to the discipline of counseling at
130 a regionally accredited institution of higher education, [which] that
131 included coursework in each of the following areas: [(A)] (i) Human
132 growth and development, [(B)] (ii) social and cultural foundations,
133 [(C)] (iii) counseling theories and techniques or helping relationships,
134 [(D)] (iv) group dynamics, [(E)] (v) processing and counseling, [(F)]
135 (vi) career and lifestyle development, [(G)] (vii) appraisals or tests and
136 measurements for individuals and groups, [(H)] (viii) research and
137 evaluation, and [(I)] (ix) professional orientation to counseling; [(2)] (B)
138 earned, from a regionally accredited institution of higher education a
139 master's or doctoral degree in social work, marriage and family
140 therapy, counseling, psychology or a related mental health field; [(3)]
141 (C) acquired three thousand hours of postgraduate-degree-supervised
142 experience in the practice of professional counseling, performed over a
143 period of not less than one year, that included a minimum of one
144 hundred hours of direct supervision by [(A)] (i) a physician licensed

145 pursuant to chapter 370 who has obtained certification in psychiatry
146 from the American Board of Psychiatry and Neurology, [(B)] (ii) a
147 psychologist licensed pursuant to chapter 383, [(C)] (iii) an advanced
148 practice registered nurse licensed pursuant to chapter 378 and certified
149 as a clinical specialist in adult psychiatric and mental health nursing
150 with the American Nurses Credentialing Center, [(D)] (iv) a marital
151 and family therapist licensed pursuant to chapter 383a, [(E)] (v) a
152 clinical social worker licensed pursuant to chapter 383b, [(F)] (vi) a
153 professional counselor licensed, or prior to October 1, 1998, eligible for
154 licensure, pursuant to section 20-195cc, as amended by this act, or [(G)]
155 (vii) a physician certified in psychiatry by the American Board of
156 Psychiatry and Neurology, psychologist, advanced practice registered
157 nurse certified as a clinical specialist in adult psychiatric and mental
158 health nursing with the American Nurses Credentialing Center,
159 marital and family therapist, clinical social worker or professional
160 counselor licensed or certified as such or as a person entitled to
161 perform similar services, under a different designation, in another state
162 or jurisdiction whose requirements for practicing in such capacity are
163 substantially similar to or higher than those of this state; and [(4)] (D)
164 passed an examination prescribed by the commissioner.

165 (2) Except as otherwise provided in this section, an applicant for a
166 license as a clinical professional counselor on and after October 1, 2017,
167 shall submit evidence satisfactory to the commissioner of having: (A)
168 (i) Completed a graduate degree or sixth-year certificate in counseling
169 that included (I) not less than one hundred hours in a counseling
170 practicum consisting of not less than forty hours of direct client
171 contact, and (II) not less than six hundred hours in a clinical mental
172 health counseling internship consisting of not less than two hundred
173 forty hours of direct client contact, and (ii) earned at least sixty
174 graduate semester hours of coursework in counseling offered (I) as
175 part of a program accredited by the Council for the Accreditation of
176 Counseling and Related Educational Programs or the Council on
177 Rehabilitation Education, or (II) by a regionally accredited institution
178 of higher education that provides counseling coursework that is
179 determined by the commissioner to be equivalent to coursework

180 offered as part of a program accredited by said councils; (B) acquired
181 three thousand hours of postgraduate-degree supervised experience in
182 the practice of professional counseling, performed over a period of not
183 less than two years, that included a minimum of one hundred hours in
184 the practice of professional counseling under professional supervision;
185 and (C) passed an examination prescribed by the commissioner.

186 (b) Except as otherwise provided in this section, an applicant for
187 licensure as a master professional counselor on and after October 1,
188 2017, shall submit evidence satisfactory to the commissioner of having:
189 (1) Completed a graduate degree or sixth-year certificate in counseling
190 that included (A) not less than one hundred hours in a counseling
191 practicum consisting of not less than forty hours of direct client
192 contact, and (B) not less than six hundred hours in a clinical mental
193 health counseling internship consisting of not less than two hundred
194 forty hours of direct client contact, and (2) earned at least sixty
195 graduate semester hours of coursework in counseling offered (A) as
196 part of a program accredited by the Council for the Accreditation of
197 Counseling and Related Educational Programs or the Council on
198 Rehabilitation Education, or (B) by a regionally accredited institution
199 of higher education that provides counseling coursework that is
200 determined by the commissioner to be equivalent to coursework
201 offered as part of a program accredited by said councils.

202 [(b)] (c) An applicant for licensure as a clinical professional
203 counselor or a master professional counselor by endorsement shall
204 present evidence satisfactory to the commissioner that the applicant is
205 licensed or certified as a professional counselor, or as a person entitled
206 to perform similar services under a different designation, in another
207 state or jurisdiction whose requirements for practicing in such capacity
208 are substantially similar to or higher than those of this state and that
209 there are no disciplinary actions or unresolved complaints pending.

210 [(c)] (d) An applicant who is currently licensed or certified as a
211 clinical professional counselor or a master professional counselor or
212 [its] the equivalent in another state, territory or commonwealth of the

213 United States may substitute three years of licensed or certified work
214 experience in the practice of professional counseling in lieu of the
215 requirements of [subdivision (3) of subsection (a) of this section]
216 subparagraph (C) of subdivision (1) of subsection (a) of this section or
217 subparagraph (B) of subdivision (2) of subsection (a) of this section, as
218 applicable, provided the commissioner finds that such experience is
219 equal to or greater than the requirements of this state.

220 Sec. 5. Section 20-195ee of the general statutes is repealed and the
221 following is substituted in lieu thereof (*Effective October 1, 2016*):

222 The Commissioner of Public Health may take any disciplinary
223 action set forth in section 19a-17 against a licensed clinical professional
224 counselor or a licensed master professional counselor for any of the
225 following reasons: (1) Failure to conform to the accepted standards of
226 the profession; (2) conviction of a felony; (3) fraud or deceit in
227 obtaining or seeking reinstatement of a license to practice professional
228 counseling; (4) fraud or deceit in the practice of professional
229 counseling; (5) negligent, incompetent or wrongful conduct in
230 professional activities; (6) physical, mental or emotional illness or
231 disorder resulting in an inability to conform to the accepted standards
232 of the profession; (7) alcohol or substance abuse; (8) wilful falsification
233 of entries in any hospital, patient or other record pertaining to
234 professional counseling; or (9) violation of any provision of sections 20-
235 195aa to 20-195dd, inclusive, as amended by this act, or any regulation
236 adopted pursuant to section 20-195ff. The commissioner may order a
237 license holder to submit to a reasonable physical or mental
238 examination if his or her physical or mental capacity to practice safely
239 is the subject of an investigation. The commissioner may petition the
240 superior court for the judicial district of Hartford to enforce such order
241 or any action taken pursuant to said section 19a-17. The commissioner
242 shall give notice and an opportunity to be heard on any contemplated
243 action under said section 19a-17.

244 Sec. 6. Subdivision (20) of section 4e-1 of the general statutes is
245 repealed and the following is substituted in lieu thereof (*Effective*

246 October 1, 2016):

247 (20) "Professional services" means any type of service to the public
248 that requires that members of a profession rendering such service
249 obtain a license or other legal authorization as a condition precedent to
250 the rendition thereof, including, but not limited to, the professional
251 services of architects, professional engineers, or jointly by architects
252 and professional engineers, landscape architects, certified public
253 accountants and public accountants, land surveyors, attorneys-at-law,
254 psychologists, licensed marital and family therapists, licensed clinical
255 professional counselors, licensed master professional counselors and
256 licensed clinical social workers as well as such other professional
257 services described in section 33-182a, as amended by this act;

258 Sec. 7. Section 5-206a of the general statutes is repealed and the
259 following is substituted in lieu thereof (*Effective October 1, 2016*):

260 The Commissioner of Administrative Services shall establish a job
261 classification series for marital and family therapists licensed under
262 chapter 383a and clinical professional counselors and master
263 professional counselors licensed under chapter 383c.

264 Sec. 8. Subdivision (7) of section 17a-22ee of the 2016 supplement to
265 the general statutes is repealed and the following is substituted in lieu
266 thereof (*Effective October 1, 2016*):

267 (7) "Therapist" means any (A) physician licensed pursuant to
268 chapter 370 who specializes in psychiatry, (B) psychologist [or
269 professional counselor] licensed pursuant to chapter 383, (C) marital
270 and family therapist licensed pursuant to chapter 383a, [or] (D) clinical
271 social worker or master social worker licensed pursuant to chapter
272 383b, or (E) clinical professional counselor or master professional
273 counselor licensed pursuant to chapter 383c; and

274 Sec. 9. Subsection (f) of section 17a-78 of the general statutes is
275 repealed and the following is substituted in lieu thereof (*Effective*
276 *October 1, 2016*):

277 (f) Any clinical social worker licensed under chapter 383b, advanced
278 practice registered nurse licensed under chapter 378 or clinical
279 professional counselor licensed under chapter 383c who has (1)
280 received a minimum of eight hours of specialized training in the
281 conduct of direct evaluations as a member of any emergency mobile
282 psychiatric services team under contract with the Department of
283 Children and Families, and (2) reasonable cause to believe, based on a
284 direct evaluation of a child, that such child (A) has psychiatric
285 disabilities, (B) is dangerous to himself or others or gravely disabled,
286 and (C) is in need of immediate care and treatment may issue an
287 emergency certificate that requires the hospitalization of such child for
288 a psychiatric and medical evaluation. Such child shall be evaluated not
289 later than twenty-four hours after the issuance of the emergency
290 certificate and shall not be held for more than seventy-two hours
291 pursuant to such certificate unless committed pursuant to section 17a-
292 77. The Commissioner of Children and Families shall collect and
293 maintain statistical and demographic information pertaining to
294 emergency certificates issued under this subsection.

295 Sec. 10. Subsection (b) of section 17a-101 of the 2016 supplement to
296 the general statutes is repealed and the following is substituted in lieu
297 thereof (*Effective October 1, 2016*):

298 (b) The following persons shall be mandated reporters: (1) Any
299 physician or surgeon licensed under the provisions of chapter 370, (2)
300 any resident physician or intern in any hospital in this state, whether
301 or not so licensed, (3) any registered nurse, (4) any licensed practical
302 nurse, (5) any medical examiner, (6) any dentist, (7) any dental
303 hygienist, (8) any psychologist, (9) any school employee, as defined in
304 section 53a-65, (10) social worker, (11) any person who holds or is
305 issued a coaching permit by the State Board of Education, is a coach of
306 intramural or interscholastic athletics and is eighteen years of age or
307 older, (12) any individual who is employed as a coach or director of
308 youth athletics and is eighteen years of age or older, (13) any
309 individual who is employed as a coach or director of a private youth
310 sports organization, league or team and is eighteen years of age or

311 older, (14) any paid administrator, faculty, staff, athletic director,
312 athletic coach or athletic trainer employed by a public or private
313 institution of higher education who is eighteen years of age or older,
314 excluding student employees, (15) any police officer, (16) any juvenile
315 or adult probation officer, (17) any juvenile or adult parole officer, (18)
316 any member of the clergy, (19) any pharmacist, (20) any physical
317 therapist, (21) any optometrist, (22) any chiropractor, (23) any
318 podiatrist, (24) any mental health professional, (25) any physician
319 assistant, (26) any person who is a licensed or certified emergency
320 medical services provider, (27) any person who is a licensed or
321 certified alcohol and drug counselor, (28) any person who is a licensed
322 marital and family therapist, (29) any person who is a sexual assault
323 counselor or a domestic violence counselor, as defined in section 52-
324 146k, (30) any person who is a licensed clinical professional counselor
325 or a licensed master professional counselor, (31) any person who is a
326 licensed foster parent, (32) any person paid to care for a child in any
327 public or private facility, child care center, group child care home or
328 family child care home licensed by the state, (33) any employee of the
329 Department of Children and Families, (34) any employee of the
330 Department of Public Health, (35) any employee of the Office of Early
331 Childhood who is responsible for the licensing of child care centers,
332 group child care homes, family child care homes or youth camps, (36)
333 any paid youth camp director or assistant director, (37) the Child
334 Advocate and any employee of the Office of the Child Advocate, and
335 (38) any family relations counselor, family relations counselor trainee
336 or family services supervisor employed by the Judicial Department.

337 Sec. 11. Subsection (c) of section 17b-28e of the general statutes is
338 repealed and the following is substituted in lieu thereof (*Effective*
339 *October 1, 2016*):

340 (c) Not later than October 1, 2014, the Commissioner of Social
341 Services shall amend the Medicaid state plan to include services
342 provided by the following licensed behavioral health clinicians in
343 independent practice to Medicaid recipients who are twenty-one years
344 of age or older: (1) Psychologists licensed under chapter 383, (2)

345 clinical social workers licensed under subsection (c) or (e) of section 20-
346 195n, (3) alcohol and drug counselors licensed under section 20-74s, (4)
347 clinical professional counselors or master professional counselors
348 licensed under sections 20-195cc and 20-195dd, as amended by this act,
349 and (5) marital and family therapists licensed under section 20-195c.
350 The commissioner shall include such services as optional services
351 covered under the Medicaid program and provide direct Medicaid
352 reimbursements to such licensed behavioral health clinicians who are
353 enrolled as Medicaid providers and who treat such Medicaid
354 recipients in independent practice settings. The commissioner may
355 implement policies and procedures necessary to implement this
356 subsection in advance of regulations, provided the commissioner
357 prints notice of intent to adopt the regulations in accordance with
358 section 17b-10 not later than twenty days after the date of
359 implementation of such policies and procedures. Such policies and
360 procedures shall be valid until the time final regulations are adopted.

361 Sec. 12. Subsection (c) of section 19a-14 of the 2016 supplement to
362 the general statutes is repealed and the following is substituted in lieu
363 thereof (*Effective October 1, 2016*):

364 (c) No board shall exist for the following professions that are
365 licensed or otherwise regulated by the Department of Public Health:

366 (1) Speech and language pathologist and audiologist;

367 (2) Hearing instrument specialist;

368 (3) Nursing home administrator;

369 (4) Sanitarian;

370 (5) Subsurface sewage system installer or cleaner;

371 (6) Marital and family therapist;

372 (7) Nurse-midwife;

373 (8) Licensed clinical social worker;

- 374 (9) Respiratory care practitioner;
- 375 (10) Asbestos contractor and asbestos consultant;
- 376 (11) Massage therapist;
- 377 (12) Registered nurse's aide;
- 378 (13) Radiographer;
- 379 (14) Dental hygienist;
- 380 (15) Dietitian-Nutritionist;
- 381 (16) Asbestos abatement worker;
- 382 (17) Asbestos abatement site supervisor;
- 383 (18) Licensed or certified alcohol and drug counselor;
- 384 (19) [Professional] Licensed clinical professional counselor or
- 385 licensed master professional counselor;
- 386 (20) Acupuncturist;
- 387 (21) Occupational therapist and occupational therapist assistant;
- 388 (22) Lead abatement contractor, lead consultant contractor, lead
- 389 consultant, lead abatement supervisor, lead abatement worker,
- 390 inspector and planner-project designer;
- 391 (23) Emergency medical technician, advanced emergency medical
- 392 technician, emergency medical responder and emergency medical
- 393 services instructor;
- 394 (24) Paramedic;
- 395 (25) Athletic trainer;
- 396 (26) Perfusionist;

397 (27) Master social worker subject to the provisions of section 20-
398 195v;

399 (28) Radiologist assistant, subject to the provisions of section 20-74tt;

400 (29) Homeopathic physician;

401 (30) Certified water treatment plant operator, certified distribution
402 system operator, certified small water system operator, certified
403 backflow prevention device tester and certified cross connection
404 survey inspector, including certified limited operators, certified
405 conditional operators and certified operators in training;

406 (31) Tattoo technician; and

407 (32) Genetic counselor.

408 The department shall assume all powers and duties normally vested
409 with a board in administering regulatory jurisdiction over such
410 professions. The uniform provisions of this chapter and chapters 368v,
411 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a
412 and 400c, including, but not limited to, standards for entry and
413 renewal; grounds for professional discipline; receiving and processing
414 complaints; and disciplinary sanctions, shall apply, except as otherwise
415 provided by law, to the professions listed in this subsection.

416 Sec. 13. Subdivision (11) of subsection (a) of section 19a-906 of the
417 2016 supplement to the general statutes is repealed and the following
418 is substituted in lieu thereof (*Effective October 1, 2016*):

419 (11) "Telehealth provider" means any physician licensed under
420 chapter 370, physical therapist licensed under chapter 376,
421 chiropractor licensed under chapter 372, naturopath licensed under
422 chapter 373, podiatrist licensed under chapter 375, occupational
423 therapist licensed under chapter 376a, optometrist licensed under
424 chapter 380, advanced practice registered nurse licensed under chapter
425 378, physician assistant licensed under chapter 370, psychologist
426 licensed under chapter 383, marital and family therapist licensed

427 under chapter 383a, clinical social worker or master social worker
428 licensed under chapter 383b, alcohol and drug counselor licensed
429 under chapter 376b, clinical professional counselor or master
430 professional counselor licensed under chapter 383c or dietitian-
431 nutritionist certified under chapter 384b, who is providing health care
432 or other health services through the use of telehealth within such
433 person's scope of practice and in accordance with the standard of care
434 applicable to the profession.

435 Sec. 14. Subdivision (7) of section 20-195m of the general statutes is
436 repealed and the following is substituted in lieu thereof (*Effective*
437 *October 1, 2016*):

438 (7) "Under professional supervision" means the practice of clinical
439 social work under the supervision of a physician licensed pursuant to
440 chapter 370, an advanced practice registered nurse licensed pursuant
441 to chapter 378, a psychologist licensed pursuant to chapter 383, a
442 marital and family therapist licensed pursuant to chapter 383a, a
443 clinical social worker licensed pursuant to this chapter or a clinical
444 professional counselor licensed pursuant to chapter 383c; and

445 Sec. 15. Subsection (a) of section 20-195s of the general statutes is
446 repealed and the following is substituted in lieu thereof (*Effective*
447 *October 1, 2016*):

448 (a) An individual licensed as a master social worker pursuant to
449 section 20-195n may: (1) Practice clinical social work under
450 professional supervision; and (2) offer a mental health diagnosis
451 provided such diagnosis is offered in consultation with a physician
452 licensed pursuant to chapter 370, an advanced practice registered
453 nurse licensed pursuant to chapter 378, a psychologist licensed
454 pursuant to chapter 383, a marital and family therapist licensed
455 pursuant to chapter 383a, a clinical professional counselor licensed
456 pursuant to chapter 383c or a clinical social worker licensed pursuant
457 to this chapter. Except as provided in subsection (c) of section 20-195q,
458 a licensed master social worker may not engage in independent
459 practice.

460 Sec. 16. Subdivision (1) of section 33-182a of the general statutes is
461 repealed and the following is substituted in lieu thereof (*Effective*
462 *October 1, 2016*):

463 (1) "Professional service" means any type of service to the public
464 that requires that members of a profession rendering such service
465 obtain a license or other legal authorization as a condition precedent to
466 the rendition thereof, limited to the professional services rendered by
467 dentists, naturopaths, chiropractors, physicians and surgeons,
468 physician assistants, doctors of dentistry, physical therapists,
469 occupational therapists, podiatrists, optometrists, nurses, nurse-
470 midwives, veterinarians, pharmacists, architects, professional
471 engineers, or jointly by architects and professional engineers,
472 landscape architects, real estate brokers, insurance producers, certified
473 public accountants and public accountants, land surveyors,
474 psychologists, attorneys-at-law, licensed marital and family therapists,
475 licensed clinical professional counselors, licensed master professional
476 counselors and licensed clinical social workers.

477 Sec. 17. Subdivision (25) of section 34-101 of the general statutes is
478 repealed and the following is substituted in lieu thereof (*Effective*
479 *October 1, 2016*):

480 (25) "Professional service" means any type of service to the public
481 that requires that members of a profession rendering such service
482 obtain a license or other legal authorization as a condition precedent to
483 the rendition thereof, limited to the professional services rendered by
484 dentists, naturopaths, chiropractors, physicians and surgeons, doctors
485 of dentistry, physical therapists, occupational therapists, podiatrists,
486 optometrists, nurses, nurse-midwives, veterinarians, pharmacists,
487 architects, professional engineers, or jointly by architects and
488 professional engineers, landscape architects, real estate brokers,
489 insurance producers, certified public accountants and public
490 accountants, land surveyors, psychologists, attorneys-at-law, licensed
491 marital and family therapists, licensed clinical professional counselors,
492 licensed master professional counselors, licensed or certified alcohol

493 and drug counselors and licensed clinical social workers.

494 Sec. 18. Subsections (e) to (g), inclusive, of section 38a-488a of the
495 2016 supplement to the general statutes are repealed and the following
496 is substituted in lieu thereof (*Effective October 1, 2016*):

497 (e) In the case of benefits payable for the services of a licensed
498 physician or psychologist, such benefits shall be payable for the same
499 services when such services are rendered by:

500 (1) A clinical social worker who is licensed under the provisions of
501 chapter 383b and who has passed the clinical examination of the
502 American Association of State Social Work Boards and has completed
503 at least two thousand hours of post-master's social work experience in
504 a nonprofit agency qualifying as a tax-exempt organization under
505 Section 501(c) of the Internal Revenue Code of 1986 or any subsequent
506 corresponding internal revenue code of the United States, as from time
507 to time amended, in a municipal, state or federal agency or in an
508 institution licensed by the Department of Public Health under section
509 19a-490;

510 (2) A social worker who was certified as an independent social
511 worker under the provisions of chapter 383b prior to October 1, 1990;

512 (3) A licensed marital and family therapist who has completed at
513 least two thousand hours of post-master's marriage and family therapy
514 work experience in a nonprofit agency qualifying as a tax-exempt
515 organization under Section 501(c) of the Internal Revenue Code of 1986
516 or any subsequent corresponding internal revenue code of the United
517 States, as from time to time amended, in a municipal, state or federal
518 agency or in an institution licensed by the Department of Public Health
519 under section 19a-490;

520 (4) A marital and family therapist who was certified under the
521 provisions of chapter 383a prior to October 1, 1992;

522 (5) A licensed alcohol and drug counselor, as defined in section 20-
523 74s, or a certified alcohol and drug counselor, as defined in section 20-

524 74s;

525 (6) A [licensed] clinical professional counselor or a master
526 professional counselor licensed under the provisions of chapter 383c;
527 or

528 (7) An advanced practice registered nurse licensed under chapter
529 378.

530 (f) (1) In the case of benefits payable for the services of a licensed
531 physician, such benefits shall be payable for (A) services rendered in a
532 child guidance clinic or residential treatment facility by a person with a
533 master's degree in social work or by a person with a master's degree in
534 marriage and family therapy under the supervision of a psychiatrist,
535 physician, licensed marital and family therapist, or licensed clinical
536 social worker who is eligible for reimbursement under subdivisions (1)
537 to (4), inclusive, of subsection (e) of this section; (B) services rendered
538 in a residential treatment facility by a licensed or certified alcohol and
539 drug counselor who is eligible for reimbursement under subdivision
540 (5) of subsection (e) of this section; or (C) services rendered in a
541 residential treatment facility by a licensed clinical professional
542 counselor or a licensed master professional counselor who is eligible
543 for reimbursement under subdivision (6) of subsection (e) of this
544 section.

545 (2) In the case of benefits payable for the services of a licensed
546 psychologist under subsection (e) of this section, such benefits shall be
547 payable for (A) services rendered in a child guidance clinic or
548 residential treatment facility by a person with a master's degree in
549 social work or by a person with a master's degree in marriage and
550 family therapy under the supervision of such licensed psychologist,
551 licensed marital and family therapist, or licensed clinical social worker
552 who is eligible for reimbursement under subdivisions (1) to (4),
553 inclusive, of subsection (e) of this section; (B) services rendered in a
554 residential treatment facility by a licensed or certified alcohol and drug
555 counselor who is eligible for reimbursement under subdivision (5) of
556 subsection (e) of this section; or (C) services rendered in a residential

557 treatment facility by a licensed clinical professional counselor or a
558 licensed master professional counselor who is eligible for
559 reimbursement under subdivision (6) of subsection (e) of this section.

560 (g) In the case of benefits payable for the service of a licensed
561 physician practicing as a psychiatrist or a licensed psychologist, under
562 subsection (e) of this section, such benefits shall be payable for
563 outpatient services rendered (1) in a nonprofit community mental
564 health center, as defined by the Department of Mental Health and
565 Addiction Services, in a nonprofit licensed adult psychiatric clinic
566 operated by an accredited hospital or in a residential treatment facility;
567 (2) under the supervision of a licensed physician practicing as a
568 psychiatrist, a licensed psychologist, a licensed marital and family
569 therapist, a licensed clinical social worker, a licensed or certified
570 alcohol and drug counselor, or a licensed clinical professional
571 counselor or a licensed master professional counselor who is eligible
572 for reimbursement under subdivisions (1) to (6), inclusive, of
573 subsection (e) of this section; and (3) within the scope of the license
574 issued to the center or clinic by the Department of Public Health or to
575 the residential treatment facility by the Department of Children and
576 Families.

577 Sec. 19. Subsections (e) to (g), inclusive, of section 38a-514 of the
578 2016 supplement to the general statutes are repealed and the following
579 is substituted in lieu thereof (*Effective October 1, 2016*):

580 (e) In the case of benefits payable for the services of a licensed
581 physician or psychologist, such benefits shall be payable for the same
582 services when such services are rendered by:

583 (1) A clinical social worker who is licensed under the provisions of
584 chapter 383b and who has passed the clinical examination of the
585 American Association of State Social Work Boards and has completed
586 at least two thousand hours of post-master's social work experience in
587 a nonprofit agency qualifying as a tax-exempt organization under
588 Section 501(c) of the Internal Revenue Code of 1986 or any subsequent
589 corresponding internal revenue code of the United States, as from time

590 to time amended, in a municipal, state or federal agency or in an
591 institution licensed by the Department of Public Health under section
592 19a-490;

593 (2) A social worker who was certified as an independent social
594 worker under the provisions of chapter 383b prior to October 1, 1990;

595 (3) A licensed marital and family therapist who has completed at
596 least two thousand hours of post-master's marriage and family therapy
597 work experience in a nonprofit agency qualifying as a tax-exempt
598 organization under Section 501(c) of the Internal Revenue Code of 1986
599 or any subsequent corresponding internal revenue code of the United
600 States, as from time to time amended, in a municipal, state or federal
601 agency or in an institution licensed by the Department of Public Health
602 under section 19a-490;

603 (4) A marital and family therapist who was certified under the
604 provisions of chapter 383a prior to October 1, 1992;

605 (5) A licensed alcohol and drug counselor, as defined in section 20-
606 74s, or a certified alcohol and drug counselor, as defined in section 20-
607 74s;

608 (6) A licensed clinical professional counselor or a licensed master
609 professional counselor; or

610 (7) An advanced practice registered nurse licensed under chapter
611 378.

612 (f) (1) In the case of benefits payable for the services of a licensed
613 physician, such benefits shall be payable for (A) services rendered in a
614 child guidance clinic or residential treatment facility by a person with a
615 master's degree in social work or by a person with a master's degree in
616 marriage and family therapy under the supervision of a psychiatrist,
617 physician, licensed marital and family therapist or licensed clinical
618 social worker who is eligible for reimbursement under subdivisions (1)
619 to (4), inclusive, of subsection (e) of this section; (B) services rendered
620 in a residential treatment facility by a licensed or certified alcohol and

621 drug counselor who is eligible for reimbursement under subdivision
622 (5) of subsection (e) of this section; or (C) services rendered in a
623 residential treatment facility by a licensed clinical professional
624 counselor or a licensed master professional counselor who is eligible
625 for reimbursement under subdivision (6) of subsection (e) of this
626 section.

627 (2) In the case of benefits payable for the services of a licensed
628 psychologist under subsection (e) of this section, such benefits shall be
629 payable for (A) services rendered in a child guidance clinic or
630 residential treatment facility by a person with a master's degree in
631 social work or by a person with a master's degree in marriage and
632 family therapy under the supervision of such licensed psychologist,
633 licensed marital and family therapist or licensed clinical social worker
634 who is eligible for reimbursement under subdivisions (1) to (4),
635 inclusive, of subsection (e) of this section; (B) services rendered in a
636 residential treatment facility by a licensed or certified alcohol and drug
637 counselor who is eligible for reimbursement under subdivision (5) of
638 subsection (e) of this section; or (C) services rendered in a residential
639 treatment facility by a licensed clinical professional counselor or a
640 licensed master professional counselor who is eligible for
641 reimbursement under subdivision (6) of subsection (e) of this section.

642 (g) In the case of benefits payable for the service of a licensed
643 physician practicing as a psychiatrist or a licensed psychologist, under
644 subsection (e) of this section, such benefits shall be payable for
645 outpatient services rendered (1) in a nonprofit community mental
646 health center, as defined by the Department of Mental Health and
647 Addiction Services, in a nonprofit licensed adult psychiatric clinic
648 operated by an accredited hospital or in a residential treatment facility;
649 (2) under the supervision of a licensed physician practicing as a
650 psychiatrist, a licensed psychologist, a licensed marital and family
651 therapist, a licensed clinical social worker, a licensed or certified
652 alcohol and drug counselor, or a licensed clinical professional
653 counselor or a licensed master professional counselor who is eligible
654 for reimbursement under subdivisions (1) to (6), inclusive, of

655 subsection (e) of this section; and (3) within the scope of the license
656 issued to the center or clinic by the Department of Public Health or to
657 the residential treatment facility by the Department of Children and
658 Families.

659 Sec. 20. Subsection (a) of section 46a-11b of the general statutes is
660 repealed and the following is substituted in lieu thereof (*Effective*
661 *October 1, 2016*):

662 (a) Any physician or surgeon licensed under the provisions of
663 chapter 370, any resident physician or intern in any hospital in this
664 state, whether or not so licensed, any registered nurse, any person paid
665 for caring for persons in any facility and any licensed practical nurse,
666 medical examiner, dental hygienist, dentist, occupational therapist,
667 optometrist, chiropractor, psychologist, podiatrist, social worker,
668 school teacher, school principal, school guidance counselor, school
669 paraprofessional, mental health professional, physician assistant,
670 licensed or certified substance abuse counselor, licensed marital and
671 family therapist, speech and language pathologist, clergyman, police
672 officer, pharmacist, physical therapist, licensed clinical professional
673 counselor or licensed master professional counselor or sexual assault
674 counselor or domestic violence counselor, as defined in section 52-
675 146k, who has reasonable cause to suspect or believe that any person
676 with intellectual disability or any individual who receives services
677 from the Department of Developmental Services' Division of Autism
678 Spectrum Disorder Services has been abused or neglected shall, as
679 soon as practicable but not later than seventy-two hours after such
680 person has reasonable cause to suspect or believe that a person with
681 intellectual disability or any individual who receives services from the
682 Department of Developmental Services' Division of Autism Spectrum
683 Disorder Services has been abused or neglected, report such
684 information or cause a report to be made in any reasonable manner to
685 the director or persons the director designates to receive such reports.
686 Such initial report shall be followed up by a written report not later
687 than five calendar days after the initial report was made. Any person
688 required to report under this subsection who fails to make such report

689 shall be fined not more than five hundred dollars.

690 Sec. 21. Section 52-146s of the general statutes is repealed and the
691 following is substituted in lieu thereof (*Effective October 1, 2016*):

692 (a) As used in this section:

693 (1) "Person" means an individual who consults a licensed clinical
694 professional counselor or a licensed master professional counselor for
695 purposes of diagnosis or treatment;

696 (2) ["Professional counselor"] "Licensed clinical professional
697 counselor" means an individual licensed as a clinical professional
698 counselor pursuant to chapter 383c;

699 (3) "Communications" means all oral and written communications
700 and records thereof relating to the diagnosis and treatment of a person
701 between such person and a licensed clinical professional counselor or a
702 licensed master professional counselor or between a member of such
703 person's family and a licensed clinical professional counselor or a
704 licensed master professional counselor;

705 (4) "Consent" means consent given in writing by the person or such
706 person's authorized representative;

707 (5) "Authorized representative" means (A) an individual
708 empowered by a person to assert the confidentiality of
709 communications which are privileged under this section, or (B) if a
710 person is deceased, the personal representative or next of kin of such
711 person, or (C) if a person is incompetent to assert or waive such
712 person's privileges hereunder, (i) a guardian or conservator who has
713 been or is appointed to act for the person, or (ii) for the purpose of
714 maintaining confidentiality until a guardian or conservator is
715 appointed, the person's nearest relative;

716 (6) "Licensed master professional counselor" means an individual
717 licensed as a master professional counselor pursuant to chapter 383c.

718 (b) Except as provided in subsection (c) of this section, a licensed
719 clinical professional counselor or a licensed master professional
720 counselor shall not disclose any such communications unless the
721 person or the authorized representative of such person consents to
722 waive the privilege and allow such disclosure. The person or the
723 authorized representative of such person may withdraw any consent
724 given under the provisions of this section at any time in writing
725 addressed to the individual with whom or the office in which the
726 original consent was filed. The withdrawal of consent shall not affect
727 communications disclosed prior to notice of the withdrawal.

728 (c) Consent of the person shall not be required for the disclosure of
729 such person's communications:

730 (1) If a judge finds that a person, after having been informed that the
731 communications would not be privileged, has made the
732 communications to a licensed clinical professional counselor or a
733 licensed master professional counselor in the course of a mental health
734 assessment ordered by the court, provided the communications shall
735 be admissible only on issues involving the person's mental health
736 condition;

737 (2) If, in a civil proceeding, a person introduces such person's
738 mental health condition as an element of the claim or defense of such
739 person or, after a person's death, the condition of such person is
740 introduced by a party claiming or defending through or as a
741 beneficiary of the person, and the judge finds that it is more important
742 to the interests of justice that the communications be disclosed than
743 that the relationship between the person and the licensed clinical
744 professional counselor or the licensed master professional counselor be
745 protected;

746 (3) Where mandated by any other provision of the general statutes;

747 (4) Where the licensed clinical professional counselor or the licensed
748 master professional counselor believes in good faith that the failure to
749 disclose such communication presents a clear and present danger to

750 the health or safety of any individual;

751 (5) If the licensed clinical professional counselor or the licensed
752 master professional counselor believes in good faith that there is risk of
753 imminent personal injury to the person or to other individuals or risk
754 of imminent injury to the property of other individuals;

755 (6) If child abuse, abuse of an elderly individual or abuse of an
756 individual who is disabled or incompetent is known or in good faith
757 suspected; or

758 (7) Where a licensed clinical professional counselor or a licensed
759 master professional counselor makes a claim for collection of fees for
760 services rendered, the name and address of the person and the amount
761 of the fees may be disclosed to individuals or agencies involved in
762 such collection, provided notification that such disclosure will be made
763 is sent, in writing, to the person not less than thirty days prior to such
764 disclosure. In cases where a dispute arises over the fees or claims or
765 where additional information is needed to substantiate the claim, the
766 disclosure of further information shall be limited to the following: (A)
767 That the person was in fact receiving professional counseling, (B) the
768 dates of such services, and (C) a general description of the types of
769 services.

770 Sec. 22. Subsection (d) of section 54-209 of the general statutes is
771 repealed and the following is substituted in lieu thereof (*Effective*
772 *October 1, 2016*):

773 (d) In instances where a violation of section 53-21, 53a-70, 53a-70a,
774 53a-70b, 53a-70c, 53a-71, 53a-72a, 53a-72b or 53a-73a has been alleged,
775 the Office of Victim Services or, on review, a victim compensation
776 commissioner may order compensation be paid if (1) the personal
777 injury has been disclosed to: (A) A physician or surgeon licensed
778 under chapter 370; (B) a resident physician or intern in any hospital in
779 this state, whether or not licensed; (C) a physician assistant licensed
780 under chapter 370; (D) an advanced practice registered nurse,
781 registered nurse or practical nurse licensed under chapter 378; (E) a

782 psychologist licensed under chapter 383; (F) a police officer; (G) a
 783 mental health professional; (H) an emergency medical services
 784 provider licensed or certified under chapter 368d; (I) an alcohol and
 785 drug counselor licensed or certified under chapter 376b; (J) a marital
 786 and family therapist licensed under chapter 383a; (K) a domestic
 787 violence counselor or a sexual assault counselor, as defined in section
 788 52-146k; (L) a clinical professional counselor or a master professional
 789 counselor licensed under chapter 383c; (M) a clinical social worker
 790 licensed under chapter 383b; or (N) an employee of the Department of
 791 Children and Families; and (2) the office or commissioner, as the case
 792 may be, reasonably concludes that a violation of any of said sections
 793 has occurred.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	20-195aa
Sec. 2	October 1, 2016	20-195bb
Sec. 3	October 1, 2016	20-195cc
Sec. 4	October 1, 2016	20-195dd
Sec. 5	October 1, 2016	20-195ee
Sec. 6	October 1, 2016	4e-1(20)
Sec. 7	October 1, 2016	5-206a
Sec. 8	October 1, 2016	17a-22ee(7)
Sec. 9	October 1, 2016	17a-78(f)
Sec. 10	October 1, 2016	17a-101(b)
Sec. 11	October 1, 2016	17b-28e(c)
Sec. 12	October 1, 2016	19a-14(c)
Sec. 13	October 1, 2016	19a-906(a)(11)
Sec. 14	October 1, 2016	20-195m(7)
Sec. 15	October 1, 2016	20-195s(a)
Sec. 16	October 1, 2016	33-182a(1)
Sec. 17	October 1, 2016	34-101(25)
Sec. 18	October 1, 2016	38a-488a(e) to (g)
Sec. 19	October 1, 2016	38a-514(e) to (g)
Sec. 20	October 1, 2016	46a-11b(a)
Sec. 21	October 1, 2016	52-146s
Sec. 22	October 1, 2016	54-209(d)

Statement of Legislative Commissioners:

In Section 4(a)(1), the subparagraph and clause designators were changed for consistency with the drafting conventions of the general statutes; and in Section 4(d), "subdivision (3) of subsection (a) of this section" was changed to "[subdivision (3) of subsection (a) of this section] subparagraph (C) of subdivision (1) of subsection (a) of this section or subparagraph (B) of subdivision (2) of subsection (a) of this section, as applicable" for accuracy.

PH*Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Public Health, Dept.	GF - Cost	13,900	38,600
Public Health, Dept.	GF - Revenue Gain	63,000	102,000
NET IMPACT	GF - Revenue Gain	49,100	63,400

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a net state revenue gain of \$49,100 in FY 17 and \$63,400 in FY 18 from the establishment of a new "Master Professional Counselor" (MPC) licensure category within the Department of Public Health (DPH).

The approximate \$13,900 cost to DPH in FY 17 reflects expenditures for a processing technician contractor (\$12,000), equipment (computer, software, and scanner - \$1,700), and associated other expenses (printing, postage, and office supplies - \$200). General Fund (GF) revenue of approximately \$63,000 is also anticipated in FY 17 from initial licensure application fees of \$315 per application. Detail on the assumptions that underpin these cost and revenue estimates is provided in the "Assumptions" section below.

ASSUMPTIONS

On average, approximately 200 people are annually granted initial Professional Counselor (renamed "Clinical Professional Counselor" under the bill) licenses. Based on the past two complete calendar years (2014 and 2015), on average, approximately 200 people are annually

granted initial Professional Counselor (renamed “Clinical Professional Counselor” under the bill) licenses. It is assumed 200 individuals will seek MPC licensure annually. A processing technician contractor cost of approximately \$30 an hour, and a complaint investigation contractor cost of \$100 per hour, is used for the purposes of this fiscal note. It is assumed that initial licensure will require an average of two hours to process, and renewals will require one hour, on average.

Complaints are not anticipated in the first fiscal year of partial implementation of the new licensure category. Between 1998 and 2015, less than one Professional Counselor incurred a disciplinary action each year. Using this average for the MPC population, roughly one MPC will incur a disciplinary action annually. It is assumed that there are three complaints for every disciplinary action incurred. A contractor cost of \$5,400 in FY 18 is based on 18 hours, on an average, for complaint investigation and resolution, at a contractor cost of \$100 an hour.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of initial and renewal master professional counselor licenses issued by the agency, and the associated costs (a 2% cost inflation is anticipated).

Sources: The State of Connecticut eLicensing Website

OLR Bill Analysis**sSB 133*****AN ACT CONCERNING LICENSING FOR PROFESSIONAL COUNSELORS.*****SUMMARY:**

This bill replaces the single license for professional counselors with a two-tiered licensure structure. It renames the current license as “clinical professional counselor”; adds to the required continuing education topics, starting January 1, 2017; and changes certain licensure requirements, starting October 1, 2017.

The new licensure category, “master professional counselor,” is for individuals who have not yet completed the 3,000 hours of postgraduate-degree supervised experience and passed the examination as required for the clinical professional counselor license. Individuals with the master-level license must work under professional supervision, and the license can be renewed only twice.

The bill makes several conforming changes throughout the statutes, including specifying whether existing references to professional counselors apply to both licensure categories or only to clinical counselors.

It also makes other technical changes.

EFFECTIVE DATE: October 1, 2016

PROFESSIONAL COUNSELOR LICENSURE***Two-Tiered System***

Current law requires professional counselors to be licensed by the Department of Public Health (DPH). The bill creates two levels of professional counselor licensure: clinical professional counselor

(formerly, “professional counselor”) and master professional counselor. Under the bill, many provisions of the current professional counselor law continue to apply to both licensure categories. Examples include:

1. licensure exemptions for the clergy, students practicing under supervision, other licensed individuals working within their scope of practice, and certain other categories of individuals;
2. the prohibition on unlicensed persons using titles or similar designations that could be confused with licensure;
3. the \$315 license application fee and \$195 annual renewal fee (the master-level license can be renewed twice);
4. eligibility for licensure by endorsement under certain criteria; and
5. grounds for disciplinary action.

Professional Supervision Requirement for Master Professional Counselors

The bill allows master professional counselors to practice only under professional supervision. It defines “professional supervision” as face-to-face consultation between one supervisor and the individual, consisting of at least a monthly review with the supervisor’s written evaluation and assessment of the individual’s practice.

The supervisor must be a state-licensed:

1. clinical professional counselor,
2. physician certified in psychiatry by the American Board of Psychiatry and Neurology,
3. advanced practice registered nurse (APRN) certified as an adult psychiatric and mental health clinical nurse specialist by the American Nurses Credentialing Center,

4. psychologist,
5. marital and family therapist, or
6. clinical social worker.

Licensure Requirements

Clinical Professional Counselor. Under current law, an applicant seeking professional counselor licensure generally must have:

1. completed 60 graduate semester hours of coursework in or related to counseling,
2. earned a master's or doctoral degree in a related field,
3. completed 3,000 hours of postgraduate-degree supervised experience in professional counseling, and
4. passed an examination.

The bill sets forth new qualifications for the clinical professional counselor license, starting on October 1, 2017. Among other changes, the bill (1) allows a sixth-year certificate in lieu of a graduate degree, (2) specifies minimum practicum and internship hours as part of the required education program, and (3) requires that the postgraduate-degree experience be supervised by a state-licensed professional. The existing and new requirements are described in more detail in Table 1.

Table 1: Professional Counselor Licensure Qualifications – Current Requirements Compared to New Clinical License

<i>Topic</i>	<i>Current License</i>	<i>New Clinical License (Starting in October 2017)</i>
Graduate degree and coursework requirements	<p>Master's or doctoral degree in social work, marriage and family therapy, counseling, psychology, or a related mental health field, from a regionally accredited higher education institution</p> <p>60 graduate semester hours in counseling or a related field at such an accredited institution, including coursework in human growth and</p>	<p>Graduate degree or sixth-year certificate in counseling</p> <p>Program must include at least (1) 100 hours in a counseling practicum with at least 40 hours of direct client contact and (2) 600 hours in a clinical mental health counseling internship with at least 240 hours of direct client contact</p>

	development, social and cultural foundations, counseling theories and techniques or helping relationships, group dynamics, processing and counseling, career and lifestyle development, appraisals or tests and measurements for individuals and groups, research and evaluation, and professional orientation to counseling	60 graduate semester hours of counseling coursework offered (1) as part of a program accredited by the Council for the Accreditation of Counseling and Related Educational Programs or the Council on Rehabilitation Education or (2) by a regionally accredited higher education institution that provides coursework that the commissioner determines is equivalent to coursework offered as part of accredited programs
Postgraduate-degree supervised professional counseling experience	<p>3,000 hours required over at least a one-year period</p> <p>Must include at least 100 hours of direct supervision by a professional counselor, psychiatrist, psychologist, APRN clinical specialist in adult psychiatric and mental health nursing, marital and family therapist, or clinical social worker</p> <p>The supervisor must be (1) licensed in Connecticut or (2) licensed or certified in another jurisdiction with requirements for practice substantially similar to, or higher than, those in Connecticut</p>	<p>3,000 hours required over at least a two-year period</p> <p>Must include at least 100 hours of experience under "professional supervision" (as defined above) by the same list of professionals as for current license, except the supervisor must be licensed in Connecticut</p>
DPH-prescribed examination	Passage required	Passage required

Master Professional Counselors

Starting on October 1, 2017, the bill establishes licensure qualifications for master professional counselors. The master-level license has two of the same requirements as the clinical license: (1) a graduate degree or sixth-year certificate, including the practicum and internship, and (2) 60 graduate semester hours. The postgraduate-degree supervised experience and examination requirements do not apply to the master-level license.

Continuing Education

The bill applies current law's continuing education requirements to both licenses and adds one component to those requirements. Current law requires the DPH commissioner to adopt regulations on professional counselors' continuing education, including certain

mandatory topics. Under the bill, the regulations also must require at least three contact hours on professional ethics each registration period, starting on January 1, 2017.

Existing regulations generally require professional counselors to complete 15 contact hours of continuing education during each annual registration period, starting with the second license renewal.

Other Existing Laws

Under the bill, most other laws that currently reference professional counselors apply to both licensure categories (for example, mandated reporter laws). A few exceptions apply only to clinical counselors. These include laws:

1. allowing professional counselors with specialized training to issue an emergency certificate to hospitalize a child for a psychiatric and medical evaluation, under specified circumstances (§ 9);
2. concerning professional supervision of social workers by certain health care providers, including professional counselors, such as during the required post-degree experience for clinical social work licensure (§ 14); and
3. requiring master social workers, when offering a mental health diagnosis, to consult certain providers, such as professional counselors (§ 15).

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 26 Nay 2 (03/21/2016)